

**U.S. District Court
District of North Dakota (Eastern)
CIVIL DOCKET FOR CASE #: 3:18-cv-00220-ARS**

Cvijanovich v. United States Secret Service
Assigned to: Magistrate Judge Alice R. Senechal
Cause: 05:552 Freedom of Information Act

Date Filed: 10/30/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Daniel Edward Cvijanovich

represented by **Daniel Edward Cvijanovich**
2433 20th Ave S
Apt. 305
Fargo, ND 58103
PRO SE

V.

Defendant

United States Secret Service

represented by **James P. Thomas**
U.S. Attorney's Office
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/30/2018	<u>1</u>	COMPLAINT against United States Secret Service (Filing fee \$400, receipt number 319000043) filed by Daniel Edward Cvijanovich. (Attachments: # <u>1</u> List of Attachments, # <u>2</u> Letter from Daniel Cvijanovich dated December 1, 2017, # <u>3</u> Letter from Kim E. Campbell, SAIC, dated April 9, 2018, # <u>4</u> Letter from Daniel Svijanovich dated June 2, 2018, # <u>5</u> Letter from Deputy Director William J. Callahan dated July 31, 2018, # <u>6</u> Affidavit of Daniel Cvijanovich, # <u>7</u> Civil Cover Sheet) (as) (Entered: 10/30/2018)
10/30/2018	<u>2</u>	Summons Issued as to United States Secret Service, U.S. Attorney and U.S. Attorney General (as) (Entered: 10/30/2018)
10/30/2018	<u>3</u>	NOTICE of Direct Assignment as to Daniel Edward Cvijanovich. Consent/Reassignment Form due by 11/13/2018. (as) (Entered: 10/30/2018)
10/30/2018	<u>4</u>	CONSENT/REASSIGNMENT FORM by Daniel Edward Cvijanovich. (as) (Entered: 10/30/2018)
11/16/2018	<u>5</u>	SUMMONS Returned Executed as to United States Secret Service served on 11/5/2018, answer due 1/4/2019. (as) (Entered: 11/16/2018)
12/03/2018	<u>6</u>	NOTICE of Appearance by James P. Thomas on behalf of United States Secret Service (Thomas, James) (Entered: 12/03/2018)
12/03/2018	<u>7</u>	ANSWER to <u>1</u> Complaint, by United States Secret Service.(Thomas, James) (Entered: 12/03/2018)
12/04/2018	<u>8</u>	NOTICE of Direct Assignment as to United States Secret Service. Consent/Reassignment Form due by 12/18/2018. (js) (Entered: 12/04/2018)
12/04/2018	<u>9</u>	CONSENT/REASSIGNMENT FORM by United States Secret Service. (lh) (Entered: 12/04/2018)

12/04/2018	<u>10</u>	ORDER for Rule 26(f) Planning Meeting and Rule 16(b) Scheduling Conference by Magistrate Judge Alice R. Senechal. Scheduling Conference set for 1/8/2019 at 09:30 AM by telephone before Magistrate Judge Alice R. Senechal. Defendant's counsel shall initiate the call into chambers at 701-297-7070. (CS) (Entered: 12/04/2018)
12/11/2018	<u>11</u>	MOTION to Stay re <u>10</u> Order,, Set Hearings, <i>Discovery, and set Dispositive Motion Deadlines</i> by United States Secret Service. (Thomas, James) (Entered: 12/11/2018)
12/12/2018	<u>12</u>	ORDER by Magistrate Judge Alice R. Senechal denying <u>11</u> Motion to Stay. (CS) (Entered: 12/12/2018)
01/03/2019	<u>13</u>	MOTION to Stay <i>Action Due to Lapse of Appropriations</i> by United States Secret Service. (Thomas, James) (Entered: 01/03/2019)
01/04/2019	<u>14</u>	ORDER by Magistrate Judge Alice R. Senechal granting <u>13</u> Motion to Stay. (AS) (Entered: 01/04/2019)
01/04/2019		Deadlines and Hearings Terminated. Scheduling Conference set for 1/8/2019 at 09:30 AM is CANCELLED. See written order at Doc. <u>14</u> . (AS) (Entered: 01/04/2019)
01/28/2019	<u>15</u>	NOTICE by United States Secret Service <i>regard Appropriations</i> (Thomas, James) (Entered: 01/28/2019)
01/29/2019	<u>16</u>	ORDER LIFTING STAY by Magistrate Judge Alice R. Senechal. Scheduling Conference set for 2/8/2019 at 09:30 AM by telephone before Magistrate Judge Alice R. Senechal. Defense counsel shall initiate the call. The telephone number for chambers is 701-297-7070. (AS) (Entered: 01/29/2019)
02/08/2019	<u>17</u>	Minute Entry for proceedings held before Magistrate Judge Alice R. Senechal: Scheduling Conference held on 2/8/2019. (lc) (Entered: 02/08/2019)
02/11/2019	<u>18</u>	SCHEDULING ORDER by Magistrate Judge Alice R. Senechal. Dispositive Motions due by 4/30/2019. (AS) (Entered: 02/11/2019)
04/12/2019	<u>19</u>	MOTION for Leave to File <i>Ex Parte in Camera</i> by United States Secret Service. (Thomas, James) (Entered: 04/12/2019)
04/15/2019	<u>20</u>	ORDER by Magistrate Judge Alice R. Senechal granting <u>19</u> Motion for Leave to File Ex Parte. (CS) (Entered: 04/15/2019)
04/26/2019	<u>21</u>	MOTION to Amend re <u>18</u> Scheduling Order by United States Secret Service. (Thomas, James) Modified on 4/29/2019 to correct motion relief. (js) (Entered: 04/26/2019)
04/29/2019	<u>22</u>	ORDER by Magistrate Judge Alice R. Senechal granting <u>21</u> Motion to Amend Dispositive Motion Deadline. (CS) Modified on 4/29/2019 to clarify docket text – NEF Regenerated. (js) (Entered: 04/29/2019)
04/29/2019		Set/Reset Scheduling Order Deadlines: Dispositive Motions due by 5/31/2019; (2) Responses to dispositive motions are due 7/1/2019; Replies to responses, if any, are due 7/19/2019. See Order filed at <u>22</u> . (js) (Entered: 04/29/2019)
04/29/2019		DOCKET CORRECTION re: <u>21</u> MOTION (Miscellaneous Relief). Corrected motion relief from Miscellaneous Relief to MOTION to Amend/Correct; <u>22</u> ORDER. Modified docket text to reflect updated motion relief and add clarifying language granting Motion to Amend. (js) (Entered: 04/29/2019)
05/07/2019	<u>23</u>	SUPPLEMENT FILING OF ORIGINAL SIGNATURE OF PLAINTIFF PURSUANT TO D.N.D. CIV. L.R. 5.1(b)(4) to document: <u>21</u> MOTION to Amend/Correct by United States Secret Service. (Attachments: # <u>1</u> Exhibit 1 – Plaintiff's original signature)(Thomas, James) (Entered: 05/07/2019)
05/30/2019	<u>24</u>	MOTION for Summary Judgment by United States Secret Service. (Thomas, James) (Entered: 05/30/2019)
05/30/2019	<u>25</u>	MEMORANDUM in Support re <u>24</u> MOTION for Summary Judgment filed by United States Secret Service. (Thomas, James) (Entered: 05/30/2019)
05/30/2019	<u>26</u>	AFFIDAVIT /Declaration of Callahan re <u>24</u> MOTION for Summary Judgment by United States Secret Service. (Attachments: # <u>1</u> Exhibit 1: Plaintiffs FOIA request

		dated December 1, 2017, # <u>2</u> Exhibit 2: Secret Service letter to Plaintiff dated January 19, 2018, # <u>3</u> Exhibit 3: Secret Service letter to Plaintiff dated April 9, 2018, # <u>4</u> Exhibit 4: Plaintiffs letter dated June 2, 2018, # <u>5</u> Exhibit 5: Secret Service letter to Plaintiff dated July 31, 2018, # <u>6</u> Exhibit 6: Secret Service letter to FBI dated April 18, 2019, # <u>7</u> Exhibit 7: Secret Service second letter to FBI dated May 7, 2019, # <u>8</u> Exhibit 8: Secret Service letter to BOP dated April 18, 2019, # <u>9</u> Exhibit 9: Secret Service letter to Plaintiff dated May 2, 2019, # <u>10</u> Exhibit 10: Vaughn Index)(Thomas, James) (Entered: 05/30/2019)
05/30/2019	<u>27</u>	SEALED DOCUMENT <i>Exhibit 11 Part 1: 001–151</i> re <u>26</u> Affidavit,,, by United States Secret Service. (Attachments: # <u>1</u> Exhibit 11 Part 2: 152–304, # <u>2</u> Exhibit 11 Part 3: 305–441, # <u>3</u> Exhibit 11 Part 4: 442–593, # <u>4</u> Exhibit 11 Part 5: 594–709)(Thomas, James) (Entered: 05/30/2019)
06/28/2019	<u>29</u>	MOTION for Extension of Time to File Response/Reply to <u>24</u> MOTION for Summary Judgment by United States Secret Service. (Thomas, James) Modified on 7/2/2019 to correct motion relief. (as) (Entered: 06/28/2019)
07/01/2019	<u>30</u>	ORDER by Magistrate Judge Alice R. Senechal granting <u>29</u> Motion for Extension of Time to File Response/Reply (CS) Distributed on 7/1/2019 (js). Modified on 7/2/2019 to correct text pursuant to docket correction of <u>29</u> . (as) (Entered: 07/01/2019)
07/01/2019		Set/Reset Deadlines as to <u>24</u> MOTION for Summary Judgment. Plaintiff's Response due 7/31/2019. Defendant's Reply due 8/30/2019. (CS) (Entered: 07/01/2019)
07/02/2019		DOCKET CORRECTION re: <u>29</u> MOTION to Amend/Correct Scheduling Order. Clerk's office corrected motion relief to MOTION for Extension of Time to File Response/Reply to <u>24</u> MOTION for Summary Judgment. (as) (Entered: 07/02/2019)
07/17/2019	<u>31</u>	SUPPLEMENT to document: <u>25</u> MEMORANDUM in Support by United States Secret Service. (Thomas, James) (Entered: 07/17/2019)
07/17/2019	<u>32</u>	AFFIDAVIT of David M. Hardy re <u>31</u> Supplement by United States Secret Service. (Attachments: # <u>1</u> Exhibit A – FBI Letter dated April 24, 2019, # <u>2</u> Exhibit B – FBI Letter dated June 28, 2019 with FOIPA Addendum)(Thomas, James) (Entered: 07/17/2019)
07/17/2019	<u>33</u>	SEALED DOCUMENT <i>Exhibit C – FBI Responsive Pages</i> re <u>32</u> Affidavit by United States Secret Service. (Thomas, James) (Entered: 07/17/2019)
07/17/2019	<u>34</u>	MOTION for Leave to File Under Seal by United States Secret Service. (Attachments: # <u>1</u> Proposed Sealed Document)(Thomas, James) (Entered: 07/17/2019)
07/18/2019	<u>35</u>	ORDER by Magistrate Judge Alice R. Senechal granting <u>34</u> Motion for Leave to File Under Seal. Defendant is directed to file the document under seal. (AS) Distributed on 7/18/2019. (as) (Entered: 07/18/2019)
07/22/2019	<u>36</u>	MOTION for Leave to File Under Seal by United States Secret Service. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Proposed Sealed Document)(Thomas, James) (Entered: 07/22/2019)
07/23/2019	<u>37</u>	ORDER by Magistrate Judge Alice R. Senechal granting <u>36</u> Motion for Leave to File Under Seal. Defendant is directed to file the document under seal. (AS) Distributed on 7/23/2019 (as). (Entered: 07/23/2019)
07/23/2019	<u>38</u>	SUPPLEMENT to document: <u>24</u> MOTION for Summary Judgment , <u>25</u> MEMORANDUM in Support by United States Secret Service. (Thomas, James) (Entered: 07/23/2019)
07/23/2019	<u>39</u>	AFFIDAVIT of Sandy Raymond re <u>38</u> Supplement by United States Secret Service. (Attachments: # <u>1</u> Exhibit A – Vaughn Index, # <u>2</u> Exhibit B – Letter of Production dated July 2, 2019)(Thomas, James) (Entered: 07/23/2019)
07/23/2019	<u>40</u>	SEALED DOCUMENT <i>Exhibit C</i> re <u>39</u> Affidavit by United States Secret Service. (Thomas, James) (Entered: 07/23/2019)
07/30/2019	<u>41</u>	RESPONSE to Motion re <u>24</u> MOTION for Summary Judgment filed by Daniel Edward Cvijanovich. (Attachments: # <u>1</u> Supplemental Affidavit of Daniel Cvijanovich)(js) (Entered: 07/30/2019)